

STATE OF WASHINGTON  
GAMBLING COMMISSION

In the Matter of the Suspension or Revocation of )  
the Licenses to Conduct Gambling Activities of: )  
11<sup>th</sup> Frame Restaurant and Lounge )  
Bremerton, Washington, )  
Licensee. )  
\_\_\_\_\_ )

No. CR 2010-00949

**NOTICE OF ADMINISTRATIVE  
CHARGES AND OPPORTUNITY  
FOR AN ADJUDICATIVE  
PROCEEDING**

I.

The Washington State Gambling Commission issued 11<sup>th</sup> Frame Restaurant and Lounge, organization number 00-19546, the following licenses:  
Number 67-00202, authorizing Class "13" House-Banked Card Room activity;  
Number 05-19737, authorizing Class "C" Punchboard/Pull-Tab activity; and  
Number 53-20615, authorizing Class "A" Amusement Game activity.

The licenses expire on December 31, 2010, and were issued subject to the licensee's compliance with state gambling laws and regulations.

II.

Rick Day, Director, of the Washington State Gambling Commission, charges the licensee with the following violations of the Washington State Gambling Act, 9.46 RCW, and WAC Title 230:

The licensee's financial statements were due on April 30, 2010. The licensee requested and was granted a 60-day extension of the deadline. Therefore, the financial statements were due on June 30, 2010. However, the licensee has failed to submit its financial statements, in violation of WAC 230-15-740.

Therefore, grounds exist to suspend or revoke 11<sup>th</sup> Frame Restaurant and Lounge's licenses under RCW 9.46.075(1) and WAC 230-03-085(1) and (7).

**RCW 9.46.075(1) Denying, suspending, or revoking an application, license**

The Commission may suspend or revoke any license issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the licensee, or any person with any interest therein has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

**WAC 230-03-085 Denying, suspending, or revoking an application, license or permit.**

We may revoke any application, license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization:

(The following subsections apply.)

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

(7) Fails to provide us with any information required under Commission rules within the time required, or, if the rule establishes no time limit, within thirty days after receiving a written request from us.

**WAC 230-15-740 Preparing financial statements**

Filing with the Commission.

(The following subsection applies.)

(2) House-banked card game licensees must submit financial statements covering all financial activities of the licensees' business premises for each business year within one hundred twenty days following the end of their business year.

**III.**

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230.

The licensee will have the opportunity to have a hearing on the alleged violations. **In order to have a hearing or discuss settlement options**, the enclosed request for hearing must be completed and returned to the Gambling Commission **within 23 days** from the date of the mailing of this notice.

Based on RCW 34.05.440, failure to return a request for hearing will result in the entry of a default order REVOKING your licenses.

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF THURSTON )

Rick Day, being duly sworn on oath, says: That he has read this Notice of Administrative Charges and Opportunity for An Adjudicative Proceeding, knows the contents of it, believes it to be true, that he is the Director of the Washington State Gambling Commission, and in that capacity has executed said Notice.

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF THURSTON )

I hereby certify that I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy thereof, properly addressed with postage prepaid, by regular and certified mail to each party to the proceeding or his or her attorney or authorized agent.

Dated at Olympia, Washington this 8 day of September, 2010

*Maurice Pretelet*  
Communications and Legal Department  
Washington State Gambling Commission  
11<sup>th</sup> Frame Restaurant and Lounge  
NOTICE OF ADMINISTRATIVE CHARGES  
AND OPPORTUNITY FOR ADJUDICATIVE PROCEEDING  
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*Rick Day*  
\_\_\_\_\_  
RICK DAY, DIRECTOR

SUBSCRIBED AND SWORN TO before me this 8 day of September, 2010.

*Michelle M. Pardee*  
\_\_\_\_\_  
NOTARY PUBLIC in and for the State of Washington residing at Lacey  
My Commission expires on June 16 2013

